



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: July 2, 2012
Applicant: Verdad Real Estate
Case No.: DRC-11-28
Address: 899 Third Avenue
Project Planner: Caroline Young

Notice is hereby given that on July 2, 2012, the Zoning Administrator considered Design Review Permit (DRC) application (DRC-11-28), filed by Verdad Real Estate ("Applicant"). The Applicant requests DRC approval to construct a 400 square-foot addition to the rear of existing building and removal of gas pumps and a canopy for the new tenant (7-Eleven convenience store and gas). The Project is located at 899 Third Avenue ("Project Site") and is owned by VRE Chula Vista LLC ("Property Owner"). The Project Site is zoned Urban Core Specific Plan (C-1) with a General Plan designation of Commercial Office (CO). The Project is more specifically described as follows:

The Applicant proposes to add a 400 square-foot addition to the rear of existing building; removal of gas pumps and a canopy along Third Avenue for additional parking, & landscaping for new tenant (7-Eleven convenience store and gas). The proposed addition will be used for office and storage coolers for the convenience store and located along the eastern elevation of the existing building. The proposed addition will reflect the design elements and colors of the remodeled building. Other site improvements include pedestrian lighting fixtures and street trees within the public right-of-way along Third Avenue, in accordance with the Urban Core Specific Plan guidelines. Enhanced landscaping will be provided throughout the site, as well as a new trash enclosure located in the northeastern portion of the site.

The following Project Data Table shows the development regulations along with the applicant's proposal to meet said requirements:

Assessor's Parcel Number:	573-490-26-00
Current Zoning:	Urban Core Specific Plan (C-1)
General Plan Designation:	Commercial Office (CO)
Lot Area:	0.51-acres
PARKING REQUIRED: Parking spaces, broken down as follows: 2 spaces per 1,000 square-feet $2,198/500=5$ spaces Total = 5	PARKING PROPOSED: Standard Spaces: 13 Compact Spaces: 0 ADA Spaces: 1 Total = 14

Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The proposed project is consistent with the development regulations of the Chula Vista Urban Core Specific Plan (C-1 Zone), and Landscape Manual. The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code, has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:

Development Services Department:

1. Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner

Date

2. Prior to, or in conjunction with the issuance of the first building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1679.
3. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board approved by the Zoning Administrator on July 2, 2012.

4. The Applicant shall provide pedestrian street lighting along Third Avenue per the Urban Core Specific Plan. Location of light pole and detail of the light standards shall be provided on the Building Permit and Street Improvement permit.
5. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform to CVMC Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis. The Applicant shall place a note to this effect on the building permit plans.
6. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
7. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Director of Development Services.
8. The Applicant shall obtain approval of a sign permit for each sign by the Development Services Department. Signs shall comply with all applicable requirements of the Municipal Code.
9. Prior to the building permit approval, the Applicant shall show the wainscot trim around the entire gas pump island poles on the building permit plan set.

Engineering Developments Services/Landscape Architecture:

10. The Applicant shall be required to pay Engineering Fees based on the final approved building plans for the project.
11. The Applicant shall obtain a Construction Permit from the Development Services Department to perform the following work in the City's right-of-way, prior to Engineering's release of any building permit. The street improvements shall include but not limited to:
 - a. Removal and replacement of any broken or damaged curb, gutter, and sidewalk.
 - b. Removal and replacement of existing driveways along the frontage of the project to comply with city standard drawing CVCS-1A.
 - c. Replacement of existing driveway along Third Avenue with curb, gutter, and sidewalk to match existing improvements.
 - d. Construction of pedestrian lights and any street improvements as required by the Planning Section.
12. The Applicant shall dedicate 7-ft. wide right-of-way along Third Avenue before issuance of a Construction Permit.

13. Development of this project shall comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Permit, Order No. R9-2007-0001 (Municipal Permit), the City of Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP), the Chula Vista Municipal Code Chapter 14.20, and the latest approved version of the City of Chula Vista Development Storm Water Manual. Applicant is required to submit completed Development Services Department Form 5500 and Form 5501 (attached).
14. Prior to approval of the building permit, the Applicant shall provide a copy of the final approved site plan, signed and stamped by a registered civil engineer. This stamped and signed site plan shall show the location of both the regulatory floodplain and the floodway and the location of all proposed structures outside the critical area.
15. Appropriate sight distance shall be maintained at all driveways and at the corner of the property (intersection of Third Avenue and “L” Street). In addition, any proposed monument signs, or street furniture shall not obstruct drivers’ visibility.
16. The Applicant shall comply with the City’s Landscape Water Conservation requirements with a proposed cumulative landscape area equal to or greater than 2,500 square feet.
17. If this project is determined to be a “Priority Project”, a review of the overall site design and landscape design in the context of permanent storm water BMP’s shall be reviewed and approved by the City Engineer.
18. Prior to building permit approval, the Applicant shall substitute the small to medium sized trees selected (Crape Myrtle & Purple Leaf Plum spp.) with a medium to large sized tree subject to the review and approval of the City’s Landscape Planner.
19. A construction permit for all work within the public right of way will be required. Replacement of sidewalk, pedestrian ramp at the corner, closure of driveway and new sidewalk is indicated to occur. Any additional work that is required as a result of the Urban Core Specific Plan (such as trees, tree grates, pedestrian lighting) should also be included and shown on any construction permit drawings, permitted on a separate construction permit, issued by Engineering. Those items may be referenced on the building permit drawings however, placement and details of Urban Core work within the public right of way (off-site work) shall be shown on construction permit drawings. In addition, an Encroachment Permit for the Urban Core work may be required.

20. Per the Urban Core requirements, the installation of Pedestrian lights within the right of way is required. Details of the pedestrian lighting shall match the Third Avenue Streetscape Design. The installation of street trees and tree grates within the right of way are required. Street trees along Third Avenue should match the existing Third Avenue street trees.
21. Any on-site landscape requirements should begin at the new property line. The Applicant shall re-configure or enlarge the planter area to provide for more planter area inside the property line. The existing planter shown along “L” street within the sidewalk area should be eliminated.
22. The landscape design should be re-designed to include a “layering” of woody plantings, emphasizing low hedges and used to screen parking and equipment areas. A minimum clear width of five feet is generally required in order to provide an appropriate planting space.

Fire Department

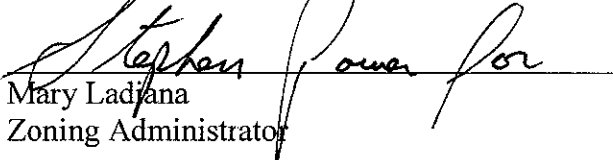
23. Fire Hydrants shall be located not greater than 300 feet apart. Prior to building permit approval, the Applicant shall show closest fire hydrant on the building permit plans.
24. Prior to building permit approval, the Applicant shall provide a minimum of 20 feet fire lane and access on the building permit plans.
25. The building shall be provided with two Knox appliances.
 - Provide a Knox Vault at the main entrance to the building
26. The building shall be addressed in accordance with the following criteria:
 - 0 – 50 feet from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150 feet from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - 151 feet from the building to the face of the curb = 16-inches in height with a 2-inch stroke
27. The Applicant shall provide one fire extinguisher for every 3,000 square feet and 75 feet of travel in any direction.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-11-28, date stamped on May 22, 2012, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.

2. All landscaping and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
3. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
4. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any and all of Applicant/Operator's successors and assigns.
5. This Design Review Permit shall become void and ineffective if not utilized within thirty-six (36) months from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of July 2, 2015.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 2nd day of July 2012.


Mary Ladzana
Zoning Administrator